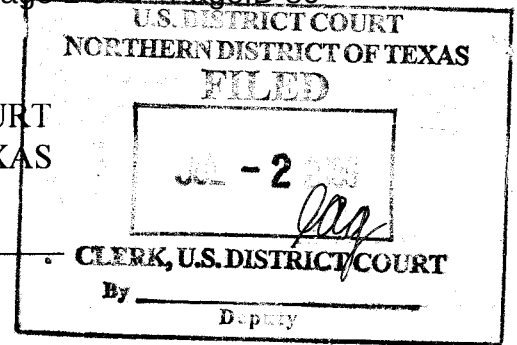


cf M

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



UNITED STATES OF AMERICA,
Plaintiff,

V.

\$8,600.00 IN UNITED STATES
CURRENCY,
Defendant *In Rem*.

§
§
§
§
§
§
§

3:08-CV-1489-M (BF)
ECF

ORDER GRANTING PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT
JUDGMENT OF FORFEITURE

Before the Court is the Motion for Entry of Default Judgment of Forfeiture filed by the Plaintiff United States of America ("the Government"). After consideration, the Court is of the opinion that the Motion should be granted.

On August 25, 2008, the Plaintiff filed its Complaint for Forfeiture, alleging the defendant property was seized and subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because it was intended to be furnished in exchange for a controlled substance in violation of Chapter 13, Subchapter I of Title 21, United States Code; was the proceeds traceable to such an exchange; and/or was money used or intended to be used to facilitate a violation of Chapter 13, Subchapter I of Title 21, United States Code.

On August 25, 2008, the Clerk issued a warrant for the arrest of the defendant property, which was taken in custody by the United States Marshals Service ("USMS").

On September 2, 2008, the Government sent potential claimant Colin D. Jackson ("Jackson") notice of this forfeiture action and a copy of the Complaint for Forfeiture, through his attorney Robert Montserrat, via electronic mail and facsimile.

As allowed by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the action was published on a Government Internet site (www.forfeiture.gov) for at least 30 consecutive days beginning September 26, 2008, notifying all persons receiving notice of the forfeiture action by the publication and wishing to assert an interest in the property that, pursuant to Rule G(5)(a)(ii)(B), a notice of claim must be filed within sixty (60) days from the first day of publication of the forfeiture notice on the Internet site.

Subsequently, the Clerk of the Court entered default in this proceeding against Jackson. The time for filing claims has expired, and according to the records of the Clerk of the Court, there is no claim or answer filed by Jackson in this action. Accordingly, judgment by default as to his interest in the defendant property is proper.

It is therefore ORDERED AND ADJUDGED that the Plaintiff's Motion for Entry of Default Judgment of Forfeiture is hereby granted, and, as to the interests of Colin D. Jackson, the defendant property is condemned and forfeited to the Government pursuant to 21 U.S.C. § 881(a)(6) as property intended to be furnished in exchange for a controlled substance in violation of Chapter 13, Subchapter I of Title 21, United States Code;

proceeds traceable to such an exchange; and/or was money used or intended to be used to facilitate a violation of Chapter 13, Subchapter I of Title 21, United States Code.

Signed this 20 day of July, 2009.



BARBARA M.G. LYNN
UNITED STATES DISTRICT JUDGE